

REMARKS

1. The Office Action has objected to the previous amendment (dated June 24, 2005) as introducing new matter. Specifically, the Office Action states that the material added in the previous amendment is not supported in the original disclosure, namely “one of the first and second elastomeric materials being fabricated from a soft elastomeric material to minimize noise transfer, the other of the first and second elastomeric materials being fabricated from a harder elastomeric material than the soft elastomeric material”, which was newly added to Claims 1 and 12.

Applicant would direct the Examiner’s attention to the specification at pages 8 and 9 where the disclosure specifically states that one of the members (the upper member) is formed from a soft elastomeric material, while the other member (the lower member) is formed from a harder elastomeric material. Furthermore, since originally presented dependent Claim 13 included similar language that one of the members is fabricated from a soft elastomeric material and the other of the members is fabricated from a harder elastomeric material, the introduction of this and similar language into the independent claims by amendment cannot be deemed new matter.

Nevertheless, the offending language has been removed from Claims 1 and 12. In Claim 1, the language had been narrowed to the upper member being formed of the soft elastomeric material, while the lower member is formed from the harder elastomeric material. In Claim 12, the disparate elastomeric materials are defined as being soft and hard elastomeric materials.

For the reasons given above, Applicant respectfully requests that this objection be reconsidered and withdrawn.

2. The Office Action has objected to the drawings as not showing that the first and second elastomeric materials being fabricated from a soft and a harder elastomeric material. In view of the amendments made above, Applicant respectfully submits that every feature set forth in the claims is shown in the drawings. More particularly, the drawings, specifically Fig. 4, clearly shows the upper member 22 and the lower member 24 being formed of elastomeric material, which is clearly defined in the specification as being a first soft elastomeric material and a second harder elastomeric material.

For the reasons given above, Applicant respectfully requests that this objection be reconsidered and withdrawn.

3. The Office Action has objected to Claims 1 and 7 due to specified informalities. More particularly, Claim 1, line 10, and Claim 7, line 15, define the lower member as isolating the mounting bracket and the mounting flange, and the Office Action suggests that the “lower member” should perhaps be the “upper member”. In response thereto, Applicant respectfully submits that both the upper and lower members isolate the mounting flange from the mounting bracket and, thus, the identified limitations are correct. Nevertheless, Applicant has amended Claims 1 and 7 to specify that the lower member isolates the members through the retainer member. Accordingly, Applicant respectfully requests that this objection be reconsidered and withdrawn.

4. The Office Action has rejected Claims 1 – 6, 12, and 14 – 18 under the provisions of 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out the subject matter regarded as the invention. This rejection is respectfully traversed.

More particularly, the Office Action deems Claim 1, lines 8 – 12 as being misleading. The Examiner suggests that line 7 be amended to delete “the other” and recite that the second elastomeric material is fabricated from a harder elastomeric material. In response thereto, Applicant has amended Claim 1 as suggested by the Examiner.

In Claim 12, similar language was deemed to be misleading. In response, Applicant has amended Claim 12 to define that the disparate elastomeric materials include a soft elastomeric material and an elastomeric material harder than said soft material.

In view of these amendments to Claims 1 and 12, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

5. The Office Action has rejected Claims 1 – 12 and 14 – 18 under the provisions of 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 4,478,396 (Kawaura) in view of U. S. Patent No. 5,701,277 (Ring) and U. S. Patent No. 6,471,179 (Tousi). The Office Action states that the Kawaura reference includes an upper and lower member of two disparate elastomeric materials, but does not teach that the upper member can be fabricated from micro cellular urethane or the lower member being formed of natural or butyl rubber. The Office Action states that Ring teaches the use of micro cellular urethane for a bushing member, while Tousi teaches the use of natural or butyl rubber for a bushing member. This rejection is respectfully traversed.

Applicant would direct the Examiner's attention to the amendments to Claims 1 and 7, to further define Applicant's invention over the cited prior art reference. More particularly, these amended independent claims define the upper member as being fabricated from a soft elastomeric material, such as micro cellular urethane, while the lower member is fabricated from a harder elastomeric material, such as butyl or natural rubber. Claim 12 has been amended to specify that the disparate elastomeric materials include a soft elastomeric material and an elastomeric material that is harder than the soft elastomeric material. The softer elastomeric material minimizes the transmission of noise from the automotive chassis component of the vehicle to the body component mounted by the body mount on the chassis. The harder elastomeric material minimizes the transmission of vibrations from the chassis to the body component. The hybrid combination of elastomeric body mount materials provides surprising results heretofore unknown in the art by providing 50% more damping than a standard body mount assembly fabricated with micro cellular urethane upper and lower members, while reducing interior noise levels.

Applicant respectfully submits that the cited Kawaura reference does not teach or suggest a body mount fabricated as defined in the amended independent claims. Furthermore, Kawaura contains no teaching, suggestion or recognition that the use of a soft elastomeric material as one of the isolating members and a harder elastomeric material as the other isolating members would provide the superior results found by Applicant, and reflected in the graph of Fig. 4.

Neither Ring nor Tousi contain any teaching or suggestion that upper and lower members can be formed from disparate soft and hard elastomeric materials to provide the superior results reflected in the graph of Fig. 4. Applicants agree that Ring and Tousi

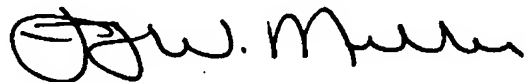
independently teach that different elastomeric materials can be used as a bushing. However, neither reference, whether taken singly or in combination with Kawaura teach or suggest that the upper and lower members of a body mount can be made from disparate soft and harder elastomeric materials to provide the superior results Applicant has experienced.

In view of the amendments made above, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

6. In summary, Claims 1, 7, and 12 have been amended, Claims 5 and 6 have been canceled, and Claims 1 – 4, 7 – 12 and 14 – 18 remain in the application. Applicant believes that the claims are allowable based on the foregoing amendments. Applicant respectfully requests that all objections and rejections be reconsidered and withdrawn and that all claims remaining in this case be allowed.

Pursuant to currently recommended Patent Office practice, the Examiner is expressly authorized to call the undersigned attorney if in his judgment disposition of this application could be expedited or if he considers the case ready for final disposition by other than allowance.

Respectfully submitted,



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